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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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09/643,502

08/22/2000

MICHAEL KORUS

CM03704H-C01

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7590

11/15/2005

MOTOROLA, INC.

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SCHAUMBURG, IL 60196

EXAMINER

PHAM, BRENDA H

ART UNIT

PAPER NUMBER

2664

DATE MAILED: 11/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/643,502

Applicant(s)

KORUS, MICHAEL

Examiner

Brenda Pham

Art Unit

2664

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 21 October 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-27 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 1-18 is/are allowed.
- 6) ☐ Claim(s) 19-27 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 22 August 2000 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Brenda H. Pham
11/09/05

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

1. Claims 1-27 are pending in this application.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 19-26 are rejected under 35 U.S.C. 102(b) as being anticipated by Choquier et al (US 5,951,694).

Claims 19 and 22, Choquier et al disclose a method comprising the steps of: receiving, from communication unit (client microcomputer 102) participating in a group voice call (CHAT 200) with at least one other communication unit, a request for data from a server (CHAT SERVER 120a); forwarding, to the server, the request for data; receiving, from the server, the requested data; forwarding, to the communication, the requested data via a communication resource that is supporting the group voice call (column 8, lines 1-67, column 9, lines 4-8 and lines 30-35, see figure 2).

Claim 25 and 26, Choquier et al further teach wherein the request comprises an identity of the server (see column 10, lines 32-37). {Choquier teaches in order to route client-user service requests to the appropriate server 120, the Gateways 126 must have some way of determining the unique IDs of the servers that are currently handling the requested service.

Claim 20, Choquier et al teach forwarding, to the at least one other communication unit, the requested data via the communication resource that is supporting the group voice call (column 9, lines 1-5).

Claim 21, Choquier et al further teaches wherein the method is performed by a data gateway (see figure 2, 126).

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 23 and 24 are rejected under 35 U.S.C. 103(a) as being unpatentable over Choquier et al (US 5,951,694).

Claims 23, 24, Choquier et al disclose all claim limitations recited in claim 19 (parent claim). Choquier teach a user sends a request to open the services the Gateway microcomputer that receives the request initially identifies the application servers that are within the relevant service group (column 2, lines 49-55).

Although Choquier does not teach the request is at least part of a message or the request forms an entire message, this limitation is well known in the art.

It would have been obvious to those having ordinary skill in the art to implement the request message as an entire message or just part of the message.

6. Claim 27 is rejected under 35 U.S.C. 103(a) as being unpatentable over Choquier et al (US 5,951,694) in view of Hirasawa et al (US 5,655,079).

Claim 27, as explained in the rejection statement of claim 19 (parent claim). Choquier et al disclose all the claim limitation recited in parent claim. Choquier does not teach wherein the request indicates group data broadcast of the requested data. This limitation is well known in the art and is taught by Hirasawa et al. Hirasawa et al teach when a network system, which is connected to a multi-computer system or to plurality of multi-computer system with communication lines via gateways, communicates data, one-to-one communication with a destination address assigned to the data or broadcasting with a group address assigned to the data is conventionally performed.

Therefore, it would have been obvious to those having ordinary skill in the art at the time of the invention was made to implement the group data broadcast in Choquier.

Allowable Subject Matter

7. Claims 1-18 are allowed over prior art.

Conclusion

8. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

Art Unit: 2664

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

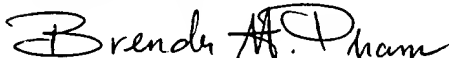
9. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Brenda Pham whose telephone number is (571) 272-3135. The examiner can normally be reached on Monday-Friday from 9:00 to 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Wellington Chin, can be reached on (571) 272-3134.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the Group receptionist whose telephone number is (571) 272-2600.

November 10, 2005

Brenda Pham

A handwritten signature in cursive script that reads "Brenda A. Pham". The signature is written in dark ink and is positioned below the typed name "Brenda Pham".